

## INFORMATION DISCLOSURE STATEMENT

FORM PTO 1449 (modified)

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY DOCKET NO.  
99\_1175SERIAL NO.  
09/422,803LIST OF REFERENCES CITED BY APPLICANT(S)  
(Use several sheets if necessary)

Date Submitted to PTO: December 8, 2005

APPLICANT  
Edwin SOUTHERNFILING DATE  
October 22, 1999GROUP  
1631

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>JB</i>	AA	4,216,245	8/1980	Johnson	427	2	
<i>JB</i>	AB	4,395,486	7/1983	Wilson et al.	435	6	
<i>JB</i>	AC	4,563,419	1/1986	Ranki et al.	435	6	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
<i>JB</i>	AD	0 235 726	9/1987	EP				
<i>JB</i>	AE	0 171 150	2/1986	EP				
<i>JB</i>	AF	85/01051	3/1985	WO				
<i>JB</i>	AG	0 268 237	5/1988	EP				
	AH							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	AI	Declaration from Radomir Crkvenjakov (with four exhibits), September 1996.
	AJ	Declaration from Ivan Labat , September 1996.
	AK	Statement from the Institute of Molecular Genetics and Genetic Engineering (IMGGE) in Belgrade, September 1996.
<i>no published</i>	AL	Statement by Professor Roger Ekins (with an abstract of a lecture given by him on 4/11/88 at a symposium, and a post published paper corresponding to said lecture), December 1996.
	AM	Statutory Declaration of Dr. Nicholas Vaughan Ashely (with Exhibit NVA1), May 1995.
	AN	Statutory Declaration of Dr. William Bains (with Exhibits WB1, WB2 and WB3), May 1995.

EXAMINER

*J. B. Buss*

DATE CONSIDERED

*5 February 2006*

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JB	BA	4,704,353	11/1987	Humphries et al.	435	4	
JB	BB	4,327,073	4/1982	Huang	424	1	
JB	BC	4,728,502	3/1988	Hamill	422	116	
JB	BD	5,002,867	3/1991	Macevicz	435	6	

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO	
JB	BE	88/01302	2/1988	WO				
JB	BF	86/03782	7/1986	WO				
JB	BG	0 238 332	9/1987	EP				
JB	BH	2 156 074	10/1985	GB				
JB	BI	0 237 362	9/1987	EP				

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	BJ	Declaration of Professor Lubert Stryer, January 1997.
	BK	Statutory Declaration of Dr. William Bains, January 1997.
	BL	Statutory Declaration of Dr. Nicholas Vaughan Ashley, January 1997.
no publication	BM	Declaration of Edwin Mellor Southern (with Exhibits EMS1 and EMS2), January 1998.
	BN	Declaration of Dr. Thomas Gingeras, January 1999.
	BO	Declaration of Professor Calvin Quate, January 1999.

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<i>JB</i>	CA	5,202,231	4/1993	Drmanac et al.	435	6	
<i>JB</i>	CB	5,474,796	12/1995	Brennan	427	2.13	
<i>JB</i>	CC	5,429,807	7/1995	Matson et al.	422	131	

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<i>JB</i>	CD	89/11548	11/1989	WO				
<i>JB</i>	CE	93/22480	11/1993	WO				
<i>JB</i>	CF	0 386 229	9/1990	EP				
<i>JB</i>	CG	0 281 927	9/1988	EP				
<i>JB</i>	CH	0 130 739	1/1985	EP				

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	CI	Declaration of Dr. Glenn Mc Gall, January 1999.
	CJ	Declaration of Edwin Mellor Southern, July 2001.
<i>no</i>	CK	Bird & Bird, "Claimant's Notice of Experiments", In the United Kingdom Litigation between Oxford Gene Technology (OGT) v. Affymetrix, case no. HC 1999 02517, pp. 1-12, July 31, 2000, London, United Kingdom.
	CL	Declaration of Marvin Stodolsky, October 1996.
<i>JB</i>	CM	M. S. Urdea et al., "A novel method for the rapid detection of specific nucleotide sequences in crude biological samples without blotting or radioactivity; application to the analysis of hepatitis B virus in human serum", Gene, Vol. 61, 1987, pp. 253-264.
<i>JB</i>	CN	C. G. Miyada et al., "Oligonucleotide Hybridization Techniques", Methods in Enzymology, Vol. 154, No. 6, 1987, pp. 94-107.

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<i>JB</i>	DA	4,591,570	5/1986	Chang	436	518	
	DB						
	DC						

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
<i>JB</i>	DD	0 228 075	7/1987	EP			
<i>JB</i>	DE	84/03151	8/1984	WO			
<i>JB</i>	DF	0 194 132	9/1986	EP			
<i>JB</i>	DG	0 063 810	11/1982	EP			
<i>JB</i>	DH	0 130 523	1/1985	EP			

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

<i>JB</i>	DI	E. Calva et al., "Analysis of the in vitro Synthesis of 5'- $\gamma$ - <sup>32</sup> P-labeled Transcripts from Coliphage $\lambda$ by Gel Electrophoresis, RNA-DNA Hybridization, and RNase T1 Digestion", The Journal of Biological Chemistry, Vol. 255, No. 22, 1980, pp. 11011-11016.
<i>JB</i>	DJ	A. R. Dunn et al., "A Novel Method to Map Transcripts: Evidence for Homology between an Adenovirus mRNA and Discrete Multiple Regions of the Viral Genome", Cell, Vol. 12, September 1977, pp. 23-36.
<i>JB</i>	DK	G. Wengler et al., "A Study of Nucleotide Sequence Homology Between the Nucleic Acids of Different Alphaviruses", Virology, Vol. 78, No. 1, 1977, pp. 124-134.
<i>JB</i>	DL	J. M. Coffin et al., "Structure of the Genome of Moloney Murine Leukemia Virus: A Terminally Redundant Sequence" Cell, Vol. 13, No. 4, April 1978, pp. 761-773.
<i>JB</i>	DM	A. Palva et al., "Laboratory Methods, Quantification of $\alpha$ -Amylase mRNA in <i>Bacillus subtilis</i> by Nucleic Acid Sandwich with Hybridization", DNA, Vol. 7, No. 2, 1988, pp. 135-142.
<i>JB</i>	DN	R. Drmanac et al., "Sequencing of Megabase Plus DNA by Hybridization: Theory of the Method", abstract presented at Cold Spring Harbor Symposium on Gene Mapping and Sequencing, April 27-May 1, 1988, Cold Spring Harbor, NY.

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*John Brusca*

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	EA						
	EB						

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	EC	0 142 299	5/1985	EP				
	ED	86/06487	11/1986	WO				
	EE	84/03564	9/1984	WO				
	EF	86/00991	2/1986	WO				
	EG	92/10092	6/1992	WO				

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	EH	R. Drmanac et al., "Sequencing by Hybridization, Theory of the Method", poster presented at Cold Spring Harbor Symposium on Gene Mapping and Sequencing, April 27-May 1, 1988, Cold Spring Harbor, NY.
	EI	I. Labat, "Subfragments as an informative characteristic of the DNA molecule - computer simulation", Search Report, Labat Thesis, (and English translation), 1988.
	EJ	R. Frank et al., "Simultaneous Synthesis and Biological Applications of DNA Fragments: An Efficient and Complete Methodology", Methods in Enzymology, Vol. 154, No. 13, 1987, pp. 221-251.
	EK	R. Frank et al., "A new general approach for the simultaneous chemical synthesis of large number of oligonucleotides: segmental solid supports", Nucleic Acids Research, Vol. 11, No. 13, 1983, pp. 4365-4377.
	EL	A. R. Brautigam et al., "Rapid Typing of Herpes Simplex Virus Isolates by Deoxyribonucleic Acid: Deoxyribonucleic Acid Hybridization", Journal of Clinical Microbiology, Vol. 12, No. 2, August 1980, pp. 226-234.
	EM	R. K. Saiki et al., "Analysis of Enzymatically Amplified $\beta$ -globin and HLA-DQ $\alpha$ DNA with Allele-Specific Oligonucleotide Probes", Nature, Vol. 324, November 1986, pp. 163-166.
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	FA						
	FB						

## FOREIGN PATENT DOCUMENTS

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	FC	0 305 929	3/1989	EP				
	FD	0 304 202	2/1989	EP				
	FE							
	FF							
	FG							

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	FH	A. Rosenthal et al., "Solid-phase methods for sequencing of nucleic acids I. Simultaneous sequencing of different oligodeoxyribonucleotides using a new, mechanically stable anion-exchange paper", Nucleic Acid Research, Vol. 13, No. 4, November 4, 1985, pp. 1173-1184.
	FI	B. Lewin, Ed., "Genes", Third Edition, 1987, pp. 360-362, John Wiley & Sons, NY, NY.
	FJ	R. B. Wallace et al., "Hybridization of Synthetic Oligodeoxyribonucleotides to O <sub>x</sub> 174 DNA: The Effect of Single Base Pair Mismatch", Nucleic Acids Research, Vol. 6, No. 11, 1979, pp. 3543-3557.
	FK	G. Beltz et al., "Isolation of Multigene Families and Determination of Homologies by Filter Hybridization Methods", Methods in Enzymology, Vol. 100, No. 19, 1983, pp. 266-285.
	FL	Doklady Biochemistry, Proceedings of the Academy of Sciences of the USSR, Biochemistry Section, Russian Original, Vol. 303, No. 1-6, November-December 1988, pp. 355-452 and Translation from Russian, Consultants Bureau, New York, Plenum Publishing Corporation, 1989, pp. 436-438.
	FM	F. C. Kafatos et al., "Determination of Nucleic Acid Sequence Homologies and Relative Concentrations by a dot Hybridization Procedure", Nucleic Acids Research, Vol. 7, No. 6, 1979, pp. 1541-1552.

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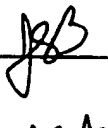
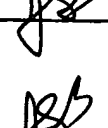
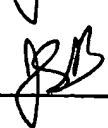

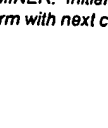
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	GA						
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	GD						
	GE						
	GF						
	GG						
	GH						

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	GI	R. J. Lipshutz et al., "Using Oligonucleotide Probe Arrays to Access Genetic Diversity", BioTechniques, Vol. 19, No. 3, 1995, pp. 442-447.
	GJ	T. R. Gingeras et al., "Hybridization Properties of Immobilized Nucleic Acid", Nucleic Acids Research, Vol. 15, No. 13, 1987, pp. 5373-5390.
	GK	P.T. Gilham, "The Synthesis of Polynucleotide-Celluloses and Their use in the Fractionation of Polynucleotides", J. Am. Chem. Soc., Vol. 86, November 20, 1964, pp. 4982-4985.
	GL	H. M. Geysen et al., "Strategies for Epitope Analysis using Peptide Synthesis", Journal of Immunological Methods, Vol. 102, 1987, pp. 259-274.
	GM	G. M. Church et al., "Genomic Sequencing", Proc. Natl. Acad. Sci., Vol. 81(7), April 1984, pp. 1991-1995.
	GN	V. J. Kidd et al., "α <sub>1</sub> -Antitrypsin Deficiency Detection by Direct Analysis of the Mutation in the Gene", Nature, Vol. 304, July 1983, pp. 230-234.

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	HE						
	HF						

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<i>JB</i>	HG	P. Masinkowski et al., "Cloning f cDNA Sequences of Hormone-regulated Gene from the MCF-7 Human Breast Cancer Cell Line", Nucleic Acids Research, Vol. 10, No. 24, 1982, pp. 7895-7903.
<i>JB</i>	HH	G. K. Sim et al., "Use of a cDNA Library for Studies on Evolution and Development Expression of the Chorion Multigene Families", Cell, Vol. 18, No. 4, December 1979, pp. 1303-1316.
<i>JB</i>	HI	Margaret L. M. Anderson et al., "Quantitative Filter Hybridisation", Nucleic Acid Hybridisation, A Practical Approach, 1985, pp. 73-111, IRL Press, Washington, D.C.
<i>JB</i>	HJ	W. Bains et al., "A Novel Method for Nucleic Acid Sequence Determination", J. Theor. Biol., Vol. 135, 1988, pp. 303-307.
<i>JB</i>	HK	U. B. Voss et al., "The Immobilization of Oligonucleotides and Their Hybridization Properties", Biochemical Society Transactions, Vol. 16, 1988, pp. 216-217.
<i>JB</i>	HL	Ghosh et al., "Covalent Attachment of oligonucleotides to Solid Supports", Nucleic Acids Research, Vol. 15, No. 13, 1987, pp. 5353-5372.
<i>JB</i>	HM	<i>Arnold et al.</i> Federation Proceedings, Vol. 43, No. 7, May 4, 1984, Abstract 3669. <i>"A novel universal support for DNA and RNA synthesis"</i>
<i>JB</i>	HN	T. Maniatis et al., "Molecular Cloning", A Laboratory Manual, Cold Spring Harbor Laboratory, 1982, p. 282, Cold Spring Harbor, NY.

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	IB						

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<i>JB</i>	IC	C. R. Cantor et al., "Report on the Sequencing by Hybridization Workshop", Genomics, Vol. 13, 1992, pp. 1378-1383.
<i>JB</i>	ID	T. L. Bugawan et al., "Rapid HLA-DLB Typing Using Enzymatically Amplified DNA and Nonradioactive Sequencing-Specific Oligonucleotide Probes", Immunogenetics, Vol. 32, 1990, pp. 231-241.
<i>no publication no action</i>	IE	<del>Global Technology Group, Flier for PA Consulting Group, 1988.</del>
<i>JB</i>	IF	Stephen P. A. Fodor et al., "Light-Directed, Spatially Addressable Parallel Chemical Synthesis", Science, Vol. 251, February 15, 1991, pp. 767-773.
<i>JB</i>	IG	U. Maskos et al., "A Study of Oligonucleotide Reassociation using Large Arrays of Oligonucleotides Synthesised on a Glass Support", Nucleic Acids Research, Vol. 21, No. 20, 1992, pp. 4663-4669.
<i>JB</i>	IH	U. Maskos et al., "Parallel Analysis of Oligodeoxyribonucleotide (Oligonucleotide) Interactions. I. Analysis of Factors Influencing Oligonucleotide Duplex Formation", Nucleic Acids Research, Vol. 20, No. 7, 1992, pp. 1675-1678.
<i>JB</i>	II	J. C. Williams et al., "Studies of Oligonucleotide Interactions by Hybridisation to Arrays: The Influence of Dangling Ends on Duplex Yield", Nucleic Acids Research, Vol. 22, No. 8, 1994, pp. 1365-1367.
<i>JB</i>	IJ	E. M. Southern et al., "Arrays of Complementary Oligonucleotides for Analysing the Hybridisation Behaviour of Nucleic Acids, Nucleic Acids Research, Vol. 22, No. 8, 1994, pp. 1368-1373.
<i>JB</i>	IK	M. S. Shchepinov et al., "Steric Factors Influencing Hybridisation of Nucleic Acids to Oligonucleotide Arrays", Nucleic Acids Research, Vol. 25, No. 6, 1997, pp. 1155-1161.
<i>JB</i>	IL	S. C. Case-Green et al., "Studies on the Base Pairing Properties of Deoxyinosine by Solid Phase Hybridisation to Oligonucleotides", Nucleic Acids Research, Vol. 22, No. 2, 1994, pp. 131-136.

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	JB						

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JCB	JC	U. Maskos et al., "A Novel Method for the Parallel Analysis of Multiple Mutations in Multiple Samples", Nucleic Acids Research, Vol. 21, No. 9, 1993, 2269-2270.
JCB	JD	M. J. Kozal et al., "Extensive Polymorphisms Observed in HIV-1 Clade B Protease Gene Using High-Density Oligonucleotide Arrays", Nature Medicine, Vol. 2, No. 7, July 1996, pp. 753-759.
JCB	JE	M. Chee et al., "Accessing Genetic Information with High-Density DNA Arrays", Science, Vol. 274, October 1996, pp. 610-614.
JCB	JF	Kirk -Othmer, Encyclopedia of Chemical Technology, Third Edition, Vol. 3, pp. 487-491, 1978.
JCB	JG	Kirk-Othmer, Encyclopedia of Chemical Technology, Third Edition, Vol. 15, p. 224, 1981.
JCB	JH	R. Polsky-Cynkin et al., "Use of DNA Immobilized on Plastic and Agarose Supports to Detect DNA by Sandwich Hybridization, Clinical Chemistry, Vol. 31, No. 9, 1985, pp. 1438-1443.
JCB	JI	J. Welsh et al., "Protein-DNA Cross-Linking" TIBS, Vol. 9, December 1984, pp. 505-508.
JCB	JJ	G. H. Parsons, Jr., "Antibody-Coated Plastic Tubes in Radioimmunoassay", Meth., Enzymol., Vol. 73, 1973, pp. 224-238.
JCB	JK	Southern et al., Genomics, "Analyzing and Comprising Nucleic Acid Sequences by Hybridization to Arrays of Oligonucleotides", Vol. 13, 1992, pp. 1008-1017.
	JL	

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JCB. Bruce

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<i>JB</i>	KB	4,994,373	2/1991	Stavrianopoulos et al.	435	6	
<i>JB</i>	KC	4,968,602	11/1990	Dattagupta	435	6	
<i>JB</i>	KD	4,961,915	10/1990	Martin	422	116	
<i>JB</i>	KE	4,849,330	7/1989	Humphries et al.	435	4	
<i>JB</i>	KF	4,451,433	5/1984	Yamashita et al.	422	63	
<i>JB</i>	KG	5,202,231	4/1993	Drmanac	435	6	
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<i>JB</i>	KJ	Webster's Third New International Dictionary, G & C Merriam Company, Publishers, Springfield, Massachusetts, USA, 1966, pages with the definitions of the terms "solid" and "sheet".
<i>JB</i>	KK	The American Heritage Dictionary, Second College Edition, Houghton Mifflin Company, Boston, Massachusetts, 1991, page with the definition of the term "smooth".
<i>JB</i>	KL	The Dictionary of Ceramic Science and Engineering, Plenum Press, New York, NY, 1984 - definition of "smooth glass".
<i>JB</i>	KM	Academic Press Dictionary of Science and Technology, San Diego, CA, 1992 - definition of "smooth".
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	LB						
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	LI	Letter to Simon Kiddle from Dr. Renzo Malvano, November 2002.
	LJ	Letter to Simon Kiddle from Dr. Gian Carlo Zucchelli, November 2002.
	LK	Declaration of Professor Alberto Albertini, November 2002.
	LL	Declaration of Dr. Gianni Messeri, November 2002.
	LM	Second Statement of Professor Roger Ekins, January 2003.

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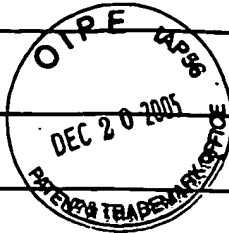
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<i>no pub</i>	ME	<del>Slides used in Professor Ekins' lecture at the International Biotech RIA '88 Conference in Florence on 11<sup>th</sup> April 1988.</del>
<i>JLB</i>	MF	Lev. D. Gelb and K.E. Gubbins, "Characterization of Porous Glasses by Adsorption: Models, Simulations and Data Inversion", Fundamentals of Adsorption, Vol. 6, 1999, pp. 551-556.
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1631

## U.S. PATENT DOCUMENTS

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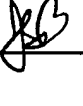
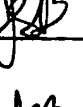
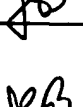

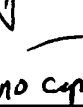
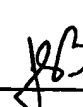
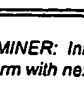
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		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY</b>	<b>CLASS</b>	<b>SUBCLASS</b>	<b>TRANSLATION YES NO</b>								
<b>OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)</b>															
	129	Michael Best & Friedrich LLP, OGT's Reply to Markman Brief, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-21, March 2004, Chicago, Illinois.													
	130	Michael Best & Friedrich LLP, OGT's Exhibit A Claim Chart, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-10, March 2004, Chicago, Illinois.													
	131	Michael Best & Friedrich LLP, OGT's Exhibit 1-9, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-139, March 2004, Chicago, Illinois.													
	132	Michael Best & Friedrich LLP, OGT's Exhibit H-R, in the United States litigation between Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, CA No. 02-9344, pp. 1-222, March 2004, Chicago, Illinois.													
<i>no reference</i>	133	Civil Docket for CA No. 99-0348, Oxford Gene Technology (OGT) v. Affymetrix, Inc., U.S. District Court for Delaware, pp. 1-36, April 2005, Wilmington, Delaware.													
<i>no reference</i>	134	Civil Docket for CA No. 02-1695, Oxford Gene Technology (OGT) v. Mergen, Ltd., U.S. District Court for Delaware, pp. 1-31, April 2005, Wilmington, Delaware.													
	135	Civil Docket for CA No. 04-0013, Oxford Gene Technology (OGT) v. Telechem International, Inc., U.S. District Court for Delaware, pp. 1-7, April 2005, Wilmington, Delaware.													
	136	Civil Docket for CA No. 02-1687, Oxford Gene Technology (OGT) v. Nanogen, Inc., U.S. District Court for Delaware, pp. 1-5, April 2005, Wilmington, Delaware.													
	137	Civil Docket for CA No. 02-9344, Oxford Gene Technology (OGT) v. Motorola, Inc., U.S. District Court for the Northeastern District of Illinois, pp. 1-4, April 2005, Chicago, Illinois.													
<b>EXAMINER</b> <i>[Signature]</i>				<b>DATE CONSIDERED</b> <i>5 February 2006</i>											

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.